

## INSTRUCTIONS

Read all forms and instructions before starting. Fill out forms by printing in blue ink or typing. Do not fill in un-numbered blanks on forms. A person who has a guardian and/or conservator is called a “ward”. Though the packet uses the singular of words like “minor” and “guardian”, you may list more than one.

**Notaries:** Some forms must be signed in front of a notary public. You can find a notary at most banks or listed in the Yellow Pages. The person signing must bring photo ID. Notaries usually charge a fee.

**Filing Fee:** To find the fee to file court papers, see the Self-Help Center packet *Superior Court Filing Fees* or call the Clerk’s Office at 928-779-6535. The Clerk’s Office accepts only cash, money orders, and cashier’s checks payable to “Clerk of Superior Court”. If you can’t afford the fee, see the Self-Help Center packet *Filing Fee Deferral at the Start of Your Case*.

**Filing Forms with the Court:** Take or mail forms to be filed to the Clerk of Superior Court, 200 N. San Francisco St., Flagstaff, AZ 86001. Submit the original, one copy for yourself, and one copy for each person you must give a copy to, if any. The Clerk will stamp your copies with the filing date and return them to you. If you file by mail, include a self-addressed, stamped envelope and a note asking the Clerk to return the copies.

### **STEP 1: IF YOU ARE THE GUARDIAN AND/OR CONSERVATOR: DECIDE BETWEEN TERMINATION AND RESIGNATION**

**Termination:** The court may terminate guardianship when the ward turns 18, dies, or is married or adopted or when the ward’s parent withdraws consent. The court may terminate conservatorship when the ward turns 18 or dies.

**Resignation:** If you want to step down as guardian and/or conservator for any other reason, you may ask the court to accept your resignation.

### **STEP 2: IF YOU ARE THE GUARDIAN AND/OR CONSERVATOR AND THE WARD’S PARENT WITHDREW CONSENT: FILL OUT THE WITHDRAWAL OF CONSENT OF PARENT TO GUARDIANSHIP AND/OR CONSERVATORSHIP OF A MINOR**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward’s name.
- (3) Enter the case number as it appears on the Petition that started this case.
- (4) Check the box indicating whether the ward has a guardian, a conservator, or both.
- (5) Check the box indicating which ward’s guardianship and/or conservatorship you want to end.
- (6) Check the box indicating whether the parent withdrawing consent is the mother or father, and enter the parent’s name, address, phone number, and birthdate.
- (7) Have the parent read the Withdrawal of Consent, and have the parent sign in front of a notary.

**STEP 3: FILL OUT THE PETITION TO DISCHARGE THE GUARDIAN AND/OR CONSERVATOR OF A MINOR**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name.
- (3) Enter the case number as it appears on the Petition that started this case.
- (4) Check the box indicating whether the ward has a guardian, a conservator, or both.
- (5) Enter the ward's birthdate.
- (6) Check the box indicating which ward's guardianship and/or conservatorship you want to end.
- (7) Enter the guardian and/or conservator's name.
- (8) If you are resigning as guardian and/or conservator, and there is another guardian and/or conservator who is not resigning, enter the other guardian and/or conservator's name.
- (9) If you are the ward's parent, check the box.
- (10) If you are the guardian and want guardianship to terminate, check the box indicating each reason that applies. If you check "Other", explain. Attach a copy of the ward's birth certificate for "turned 18", death certificate for "died", marriage license for "married", or adoption order for "been adopted". If you checked "The parent withdrew consent", attach the Withdrawal of Consent of Parent to Guardianship and/or Conservatorship of a Minor.
- (11) If you are the conservator and want conservatorship to terminate, check the box indicating each reason that applies. If you check "Other", explain. Attach a copy of the ward's birth certificate for "turned 18" or death certificate for "died".
- (12) If you want to resign as guardian and/or conservator, explain why.
- (13) If another court has held a hearing on this guardianship and/or conservatorship, enter that court's name, the case number and name, and the judge's name and phone number.
- (14) If the ward has an attorney, enter the attorney's name, phone number, and address.
- (15) If you want conservatorship to end, and you want funds released from a restricted account, for each account, enter the bank or institution name, the name on the account, an account description (such as "savings", "checking", "money market", etc.), and the value.
- (16) Enter the name and address of 1) the ward over 13 and 2) their guardian other than you. If you want to end guardianship only, leave the rest of the table blank. Otherwise, also enter the name and address of 3) the ward's living parents, 4) the ward's closest adult relative if you can find no parent, spouse, or child over 17, 5) the ward's conservator other than you, 6) people having care or custody of the ward, 7) people who filed a demand for notice, 8) the ward's children over 17, and 9) the ward's spouse.
- (17) Read the Petition and make sure that you understand everything in it and that everything in it is true. Sign in front of a notary.

**STEP 4: FILL OUT THE ORDER REGARDING THE DISCHARGE OF THE GUARDIAN AND/OR CONSERVATOR OF A MINOR**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name.
- (3) Enter the case number.
- (4) Check the box indicating whether the ward has a guardian, a conservator, or both.

- (5) Check the box indicating which ward's guardianship and/or conservatorship you want to end.
- (6) Enter the guardian and/or conservator's name.
- (7) If you are resigning as guardian and/or conservator, and there is another guardian and/or conservator who is not resigning, enter the other guardian and/or conservator's name.
- (8) If you are the ward's parent, check the box.
- (9) If you are the guardian and want guardianship to terminate, check the box indicating each reason that applies. If you check "Other", explain.
- (10) If you are the conservator and want conservatorship to terminate, check the box indicating each reason that applies. If you check "Other", explain.
- (11) If you want to resign as guardian and/or conservator, explain why.
- (12) If you want guardianship and/or conservatorship to terminate, check the box.
- (13) If you want to resign as guardian and/or conservator, check the box. Do not fill in the blank.
- (14) If you want conservatorship to end, check the box. Do not fill in the blanks.
- (15) If you want conservatorship to end, and you want funds released from a restricted account, for each account, enter the bank or institution name, the name on the account, an account description (such as "savings", "checking", "money market", etc.), and the value.

**STEP 5: FILL OUT THE NOTICE OF HEARING**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.

**STEP 6: IF YOU ARE THE GUARDIAN:  
FILL OUT THE GUARDIAN'S REPORT UPON DISCHARGE**

See the INSTRUCTIONS: GUARDIAN'S REPORT in this packet.

**STEP 7: IF YOU ARE THE CONSERVATOR:  
FILL OUT THE CONSERVATOR'S ACCOUNTING UPON DISCHARGE**

See the INSTRUCTIONS: CONSERVATOR'S ACCOUNTING in this packet.

**STEP 8: IF YOU ARE THE CONSERVATOR:  
FILL OUT THE FINAL ACCOUNTING**

**If You are Resigning as Conservator, and There is Another Conservator Who is Not Resigning:** Skip this step. You do not need to complete this form.

**Copy All Accountings:** Photocopy Page 1 of each Accounting you filed during the conservatorship including the Accounting Upon Discharge. Type or print "Exhibit A" at the top of the first Accounting, "Exhibit B" at the top of the second, and so on.

- (1) Enter your name, address, and phone number.

- (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.
- (4) Check the box indicating which ward's guardianship and/or conservatorship you want to end.
- (5) Enter the date the judge signed the Order Appointing a Guardian and/or Conservator.
- (6) Enter the Accounting Period Closing Date listed on the Accounting Upon Discharge.
- (7) Enter the Total Value of Estate listed on the Inventory of Estate you filed at the start of this case.
- (8) Add the Receipts listed on each Accounting you copied, and enter the total.
- (9) Add the Gains listed on each Accounting you copied, and enter the total.
- (10) Add the Disbursements listed on each Accounting you copied, and enter the total.
- (11) Add the Losses listed on each Accounting you copied, and enter the total.
- (12) Enter the Total Debts listed on the Inventory of Estate you filed at the start of this case.
- (13) Enter the Ending Balance of Debts listed on the Accounting Upon Discharge.
- (14) Add the Beginning Balance, Receipts, and Gains; subtract the Disbursements, Losses, and Ending Balance of Debts; and enter the result. It must equal the Ending Balance on the Accounting Upon Discharge.
- (15) Enter the name and address of each person listed on the Accounting Upon Discharge under "Certificate of Delivery".
- (16) Date and sign.

**STEP 9: FILE THE FOLLOWING WITH THE COURT**

- ☐ Petition to Discharge the Guardian and/or Conservator with the following attached if applicable:
  - ☐ a copy of the ward's birth or death certificate, marriage license, or adoption order
  - ☐ Withdrawal of Consent of Parent to Guardianship and/or Conservatorship of a Minor
- ☐ Order Regarding the Discharge of the Guardian and/or Conservator
- ☐ Notice of Hearing
- ☐ If applicable, Guardian's Report Upon Discharge with the following attached:
  - ☐ Physician's Report to Guardian
  - ☐ Evaluation Report, if applicable
- ☐ If applicable, Conservator's Accounting Upon Discharge with the following attached:
  - ☐ An Exhibit A: Income and Disbursements for each applicable account
  - ☐ Exhibit B: Gains and Losses
  - ☐ Exhibit C: Inventory of Estate
  - ☐ A copy of the final bank statement of the accounting period for each account
- ☐ If applicable, Final Accounting with the following attached:
  - ☐ A copy of Page 1 of each Accounting you filed during the conservatorship including the Accounting Upon Discharge

If you have not already paid a filing or appearance fee in this case, there is a fee to file the Petition to Discharge the Guardian and/or Conservator.

**STEP 10: THE COURT WILL MAIL YOU THE SIGNED NOTICE OF HEARING**

**STEP 11: GIVE NOTICE OF THE HEARING TO THE REQUIRED PEOPLE**

See the INSTRUCTIONS: GIVING NOTICE OF THE HEARING in this packet. Giving notice can be complicated and time-consuming. Make sure you understand the procedures before beginning the discharge process.

**STEP 12: AFTER YOU GIVE NOTICE:  
FILL OUT THE PROOF OF NOTICE**

- (1) Enter your name, address, and phone number.
- (2) Enter the ward's name, and check the box indicating whether they are an adult or a minor.
- (3) Enter the case number.
- (4) List each document you served.
- (5) For each person you notified, enter the name, address, notice method; and date notice was complete. (Notice methods: mail, hand-delivery, acceptance, process server, sheriff, tribal law enforcement, publication)
- (6) Date and sign.

**STEP 13: FILE THE PROOF OF NOTICE WITH THE COURT BEFORE THE HEARING**

**STEP 14: GO TO THE HEARING**

Be prepared to testify about why you think the guardianship and/or conservatorship should end. Bring any witnesses and the original and three copies of any evidence that may support your case. For general information about representing yourself in court, see the Self-Help Center packet *Representing Yourself in Court*.

If the judge grants your requests, the court will sign the Order Regarding the Discharge of the Guardian and/or Conservator at the hearing.

**STEP 15: IF THE COURT ENDS CONSERVATORSHIP AND YOU ARE THE CONSERVATOR:  
TRANSFER THE WARD'S ASSETS**

Immediately transfer restricted funds and title to the ward's assets to the ward if the court terminated conservatorship or to the successor conservator if the court appointed one.